

Introduction

Maryland Department of Natural Resources Shellfish Closures

House Bill 133 passed the 2007 session of the General Assembly. This bill has two implications on the commercial oyster harvester.

It is now required that the Department provide a licensee with a publication of the maps and coordinates of oyster sanctuaries, harvest reserve areas, and areas closed to shellfish harvest by the Department of Environment when the licensee pays for the oyster surcharge. It further requires that the licensee certify that they have received this publication.

The Maryland Department of Natural Resources Shellfish closures depicted in this book fall into two categories, Sanctuaries and Reserves. Sanctuaries are areas which are closed to shellfish harvest and often contain oyster restoration projects to help enhance oyster populations for their environmental benefits. These areas are permanent closures. Reserves are areas which are restored, then opened for periodic harvest when certain criteria are met.

Also, it is important that you are aware of immediate license suspension provisions for certain oyster violations required under this law. The law states that:

By October 1, 2007, the Department of Natural Resources shall adopt regulations relating to the suspension and revocation of licenses and authorizations issued under Title 4, Subtitle 7 of the Natural Resources Article.

(b) The regulations shall require the suspension of a person's tidal fish license or authorization for a period of not less than 180 days and not exceeding 365 days during the oyster harvest season for:

(1) the unlawful harvest of oysters from a leased oyster bottom or from more than 150 feet within an oyster sanctuary, oyster reserve, or area closed to harvest by the Department of the Environment, when the area is designated and marked with buoys or other signage or the person knew or should have known that the harvest of oysters from the area was unlawful;

or

(2) a violation of a time restriction for the harvest of oysters by more than 2 hours.

This publication serves as the information you need to know that the harvest of oysters from an area is unlawful. This book will be updated annually and provided to you with payment of your oyster surcharge. However, you should periodically check the Department's website for updates to the shellfish closures:

<http://www.dnr.state.md.us/fisheries/commercial/oysters/shellfishclosures.html>